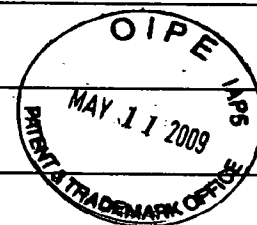


<b>Form PTO-1449 Substitute</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	10/037,415
	<b>Filing Date</b>	January 4, 2002
	<b>First Named Inventor</b>	David Baltimore
	<b>Art Unit</b>	1636
	<b>Examiner Name</b>	C. Hibbert
	<b>Attorney Docket No.</b>	75723- ZB/JPW/GJG/CS

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/C.H./	1	Amendment in Response to October 16, 2008 Final Office Action and February 14, 2009 Advisory Action, Summary of December 2, 2008 Examiner Interview and Statement of Concurrent Proceedings Under 37 C.F.R. § 1.565 filed March 16, 2009 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828;	
/C.H./	2	Supplemental Amendment filed April 10, 2009 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828;	
/C.H./	3	Advisory Action issued April 21, 2009 in Merged Reexamination Control Nos. 90/007,503 and 90/007,828; and	
/C.H./	4	Decision issued April 3, 2009 in the concurrent litigation captioned <i>ARIAD Pharmaceuticals, Inc., et al. v. Eli Lilly and Company</i> , U.S. Court of Appeals for the Federal Circuit, Docket No. 2008-1248.	



EXAMINER SIGNATURE /Catherine Hibbert/

DATE CONSIDERED 02/09/2010

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

Applicants: David Baltimore, et al.  
 Serial No.: 10/037,415  
 Filed: January 4, 2002

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.H./

Exhibit A